

# Notice for Members of the Bar

Effective May 1, 2008, this court will begin implementing a new policy regarding redaction procedures of transcripts of court proceedings. This policy is consistent with Judicial Conference requirements. The policy will apply to all transcripts of proceedings or parts of proceedings ordered on or after May 1, 2008, regardless of when the proceeding took place. Please read this policy carefully.

The policy establishes a procedure for counsel to request the redaction from the transcript of specific personal data identifiers before the transcript is made electronically available to the general public for a 90-day period. During the 90-day period, a copy of the transcript may be obtained from the court reporter or transcriber at the rate established by the Judicial Conference or by inspection only at the office of the clerk. An attorney who has bought and paid for an original or copy of the transcript may obtain remote electronic access to the transcript through the court's CM/ECF system for purposes of creating hyperlinks to the transcript in court filings and for other purposes.

Each attorney is required to review the filed transcript to determine whether there is information that must be redacted pursuant to Judicial Conference requirements and Local Civil Rule 5.2(g). The court reporter or transcriber shall partially redact these personal data identifiers from the electronic transcript as follows:

- Social Security numbers and Taxpayer-Identification numbers - to the last four digits;
- financial account numbers to the last four digits;
- dates of birth to the year;
- names of minor children to the initials; and
- home addresses to the city and state;
- passport numbers and driver license numbers - in their entirety.

In the case of an unrepresented party, the party should perform the tasks assigned to the attorneys.

**Within ten (10) business days of a court reporter's delivery of the transcript to the clerk of court, an attorney must file a notice with the court of his or her intent to request redaction of information from the transcript.**

An attorney is responsible for reviewing the opening and closing statements made on behalf of the party he or she represents, any statements made by the party, and the testimony of any witness called by the party. If no notice is filed during this 10-day period, the court will assume that redaction of personal data is not necessary and will make the transcript electronically available to the public 90 days from the original date of filing of the transcript. If redaction is requested, a party is to submit to the court reporter or transcriber, within 20 calendar days of the transcript's delivery to the clerk, a statement indicating where the personal data identifiers to be redacted appear in the transcript. For example, if a party wanted to redact the Social Security

number 123-45-6789 appearing on page 12, line 9 of the transcript, the statement would read: “Redact the Social Security number on page 12, line 9 to read xxx-xx-6789.” These procedures are limited to the redaction of the specific personal data identifiers listed in the rules.

If a party wants to redact other information, that party should move the court for further redaction by separate motion served on all parties and the court reporter or transcriber within the 20-day period.

The court reporter or transcriber must, within 50 days of the delivery of the statement indicating personal identifiers, perform the requested redactions and file a redacted version of the transcript with the clerk of court. The original unredacted electronic transcript will be retained by the clerk of court as a restricted document.

After the 90-day period has ended, the redacted transcript will be available for inspection and copying in the clerk’s office and for download from the court’s CM/ECF system through the judiciary’s PACER system.

Counsel appointed pursuant to the Criminal Justice Act may claim compensation, at the applicable rate, for the time spent reviewing the transcript and preparing the request for redaction, as well as for costs associated with obtaining a copy of the transcript.

Please direct all questions concerning the policy to Sharon Haas. Ms. Haas can be reached by phone at (206) 370-8482 or by e-mail at [sharon\\_haas@wawd.uscourts.gov](mailto:sharon_haas@wawd.uscourts.gov).